l	Case3:09-cv-00627-EMC Document	t <b>4</b> 12 <b>Filled 08/178/09 Page</b> 1106f22
1		
2	UNITED STATES DISTRICT COURT	
3	NORTHERN DISTRICT OF CALIFORNIA	
4		ICISCO DIVISION
5		
6		Consolidated Case No. 3:09-CV-00627 (EMC)
7	OLIVIA GARDEN INTERNATIONAL, INC.,	Case No.: 3:09-CV-00627 (EMC)
8	Plaintiff,	
9	VS.	
10 11	HELEN OF TROY, L.P.,	
12	Defendant.	
13		
14	HELEN OF TROY, L.P.,	Case No.: 3:09-CV-1520 (EMC)
15	Plaintiff,	
16	VS.	CTIDIH ATED DIGMICCAL AND
17	OLIVIA GARDEN INTERNATIONAL, INC.,	STIPULATED DISMISSAL AND [PR <del>OPO</del> SED] ORDER
18	Defendant.	
19		
20	///	
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	1	Case No.: 3:09-CV-00627; Case No.; 3:09-CV-1520 STIPULATED DISMISSAL AND [PRO <del>POS</del> ED] ORDER

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1	Olivia Garden International, Inc. ("Olivia Garden"), by and through its counsel of record,	
2	and Helen of Troy, L.P. ("Helen of Troy"), by and through its counsel of record, hereby stipulate	
3	that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Case No. 3:09-CV-00627	
4	(EMC) and Case No. 3:09-CV-1520 (EMC), having been consolidated under Case No. 3:09-CV-	
5	00627 (EMC), including all of the claims and causes of action asserted, are hereby dismissed	
6	with prejudice in accordance with the terms of a written settlement agreement executed and	
7	entered by the parties. Each party is to bear its own costs and attorneys' fees in accordance with	
8	the parties' agreement.	
9	Dated: August 12, 2009	MORGAN, LEWIS & BOCKIUS LLP
10		ROCHELLE D. ALPERT SHARON R. SMITH
11		SHARON R. SWITTI
12		By/s/ Sharon R. Smith
13		Attorneys for Plaintiff OLIVIA GARDEN INTERNATIONAL, INC.
14	Dated: August 12, 2009	BURNHAM BROWN
15	2007	JOHN J. VERBER
16		MELISSA A. HORST
17		
18		By /s/ Melissa A. Horst
19		Attorneys for Defendant HELEN OF TROY, L.P.
20		
21		ATES DISTRICT
22	IT IS SO ORDERED.	
23	Dated: August <u>18</u> , 2009	IT IS SO ORDERED
24		5 11 13 4
25		HOV.  Judge Edward M. Chen  Judge Edward M. Chen
26		MACK RATE JUDGE
27		
28	2	Coco No : 3:00 CV 00627: Coco No : 3:00 CV 1520
	_	Case No.: 3:09-CV-00627; Case No.; 3:09-CV-1520

Case No.: 3:09-CV-0062/; Case No.; 3:09-CV-1520 STIPULATED DISMISSAL AND [PROPOSED] ORDER